

EXHIBIT

“B”

IN THE UNITED STATES DISTRICT COURT
FOR THE
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

JOHN BRADY BARRINEAU,) CIVIL ACTION NO. CV05-0028
)
)
 Plaintiff,)
)
)
 vs.)
)
)
 PROMARINE TECHNOLOGY and)
)
 CABRAS MARINE CORPORATION,)
)
)
 Defendants.)
)

DEPOSITION TRANSCRIPT

OF

KENNETH W. COLLARD, JR.

February 21, 2007

ORIGINAL

PREPARED BY: **GEORGE B. CASTRO**
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IN THE UNITED STATES DISTRICT COURT
FOR THE
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

JOHN BRADY BARRINEAU,)	CIVIL ACTION NO. CV05-0028
)	
Plaintiff,)	
)	
vs.)	
)	
PROMARINE TECHNOLOGY and)	
CABRAS MARINE CORPORATION,)	
)	
Defendants.)	
)	

Deposition of **Kenneth W. Collard, Jr.**, taken on Wednesday, February 21, 2007, at the hour of 1:34 p.m., at the Law Offices of Carlsmith Ball LLP, Suite 401, Bank of Hawaii Building, 134 West Soledad Avenue, Hagatna, Guam, before a Notary Public Officer of Depo Resources, pursuant to Notice. That at said time and place there transpired the following:

APPEARANCES

For the Plaintiff	LAW OFFICE OF BRUCE BERLINE
	By: Bruce Berline, Esq.

For the Defendant	LAW OFFICES OF CARLSMITH BALL
<i>Cabras Marine Corporation</i>	By: David Ledger, Esq.

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Court Reporter

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E X H I B I T S

Defendant's Exhibit A

13-pages:
Defendant Cabras Marine
Corporation's First
Request for Answers to
Interrogatories to
Defendant ProMarine
Technology; Certificate
of Service

Defendant's Exhibit B

7-pages:
Defendant ProMarine
Technology's Response to
Cabras Marine
Corporation's First Set
of Interrogatories

Defendant's Exhibit C

1-page:
Check Off List

Defendant's Exhibit D

1-page:
Cabras Marine Corporation
Invoice No. 54026 dated
5/31/05 to Pro Marine
Technology

(End Exhibit Files)

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1 **HAGATNA, GUAM, WEDNESDAY, FEBRUARY 21, 2007: 1:34 P.M.**

2

3 COURT REPORTER: Let me go on record to
4 state that today is Wednesday, February 21,
5 2007; the time is 1:34 p.m. We are here at the
6 Law Office of Carlsmith Ball, Suite 401, Bank
7 of Hawaii Building, 134 West Soledad Avenue,
8 Hagatna, Guam.

9 We have the deponent, Mr. Kenneth W.
10 Collard, Jr. Direct examiner is Attorney David
11 Ledger. Also present in the room is Attorney
12 Bruce Berline. At this time, I'll just swear
13 in Mr. Collard.

14

15 **Kenneth W. Collard, Jr.**

16 being duly sworn, was examined and testified as
17 follows:

18

19 **DIRECT EXAMINATION**

20 BY MR. LEDGER:

21 Q Collored? Is it --

22 A Collard.

23 Q Collard. Color is the pronunciation;
24 okay. Thank you, Mr. Collard. My name is
25 David Ledger. As I just mentioned to you a

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1 moment ago, I represent Cabras Marine
2 Corporation. Mr. Berline represents Mr.
3 Barrineau. And, I want to thank you for coming
4 in today. And before I get to the questions
5 that I have for you, have you had your
6 deposition taken in this case or any other case
7 prior to today? Is this your first deposition?

8 A No, this is not.

9 Q It's not your first deposition?

10 A No, it is not.

11 Q Okay. Your deposition has not been
12 taken in this particular case, though?

13 A No, it has not.

14 Q Is that right? Okay. The other
15 depositions that you did -- I mean, the format
16 today I don't expect to be any different
17 questions and answers. There may be some
18 attorney objections in which case, we will just
19 ask you to stop speaking and we will work that
20 out and then we will move on.

21 Make sure you understand the question
22 before you answer it because once the booklet
23 is prepared and people are reading it, if they
24 read a question, they read an answer, the
25 assumption will be that you understood the

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1 question before you answered it. So, if you
2 don't understand any question be sure and tell
3 me that and I will ask it again in a way that's
4 satisfactory to you.

5 Another thing to keep in mind, please,
6 is we are recording electronically. So, try
7 not to speak before I'm finished with my
8 question, so you don't step on my words, so-to-
9 speak. And I will do the same and wait until
10 you finish your answer, because it will make
11 the transcription job a lot easier and the
12 transcript easier to read and easier to
13 understand.

14 So, those were just kind of the ground
15 rules that I ask you to be aware of. I'll go
16 ahead and get started with my questions unless
17 you have any concerns or questions that you
18 want to raise.

19 A No, let's proceed.

20 Q Okay. During the course of the
21 deposition, just to shorten up things, I will
22 just refer to you company Pro Marine Technology
23 as PMT. Is that okay?

24 A That's okay.

25 Q All right. As of today, what is your

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1 position with PMT?

2 A The President --

3 Q Okay.

4 A -- of Pro Marine Technology.

5 Q Okay. On the day that Mr. Barrineau's
6 dive incident occurred, what was your position
7 with PMT?

8 A I was acting as the President on the
9 project.

10 Q The project being the cleaning of the
11 Hague?

12 A That's correct and the ship's name is
13 Hague.

14 Q Hague, okay. On the day that Mr.
15 Barrineau's diving accident happened, from what
16 I've read in the records, you were on board the
17 Cajun; is that correct?

18 A That's correct.

19 Q Were you the ranking Pro Marine
20 Technology person at that time?

21 A Yes.

22 Q I want to make sure you understand. Of
23 all the PMT people that were on board that day,
24 were you the highest in command?

25 A No, that would be incorrect -- or that

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1 would be -- our Dive Supervisor, Mr. Carey
2 Rose, would have been the supervisor of record.
3 I just happened to be on board that day as the
4 Pro Marine representative.

5 Q Actually that was a question I had for
6 you. Did you just say Carey Rose?

7 A Carey Rose.

8 Q And that's a male?

9 A Yes, it is.

10 Q So, on the day of Mr. Barrineau's
11 diving incident, Carey Rose was a PMT employee;
12 is that correct?

13 A Correct.

14 Q And he was in-charge of the dive
15 operation?

16 A That's correct.

17 Q Okay. And you were also on board as
18 the acting President of the company?

19 A Yes.

20 Q Okay. At that point in time, you
21 identified Carey Rose as sort of the Supervisor
22 or the Director of what was going on that day.
23 What is his -- at that point in time, what was
24 his official title or job position?

25 A Dive Superintendent.

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1 Q Okay. And, in general, what would his
2 responsibilities have been on any dive
3 operation?

4 A He was in-charge of the entire dive
5 operation, from setup to breakdown.

6 Q Did the divers that would be working on
7 a particular operation report to Carey Rose?
8 Is he their supervisor?

9 A Yes.

10 Q Okay. And at the point in time of Mr.
11 Barrineau's incident, how long had Mr. Rose
12 worked for PMT?

13 A Probably --, without going back to my
14 records, I would say he'd been at least with us
15 for a year. And he's previously worked for us
16 several years ago for a period of years.

17 Q Okay. And in discovery, I know you
18 provided some information about various
19 employees that were on board the Cajun at that
20 particular point in time, including the
21 credentials, whether they were navy diver,
22 otherwise certified. Do you remember as you
23 sit here today, and I think Carey Rose's
24 information was included in that documentation,
25 as you sit here today, do you remember what his

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1 qualifications were at the time Mr. Barrineau
2 had the diving accident?

3 A Mr. Rose was a Retired U.S. Navy Diver,
4 First Class.

5 Q Okay. Is he still -- Mr. Rose still
6 employed with PMT?

7 A Yes.

8 Q Okay. How about -- this is a very
9 unusual name. It is Conald, C-O-N-A-L-D, Jonah
10 is that right --

11 A Correct.

12 Q -- Mr. Collard? Jonah is J-O-N-A-H.
13 Is that the correct pronunciation, Jonah?

14 A I believe so.

15 Q Okay; Conald. That's a tongue twister.
16 Anyway, was Mr. Jonah on board the Cajun on the
17 day of Mr. Barrineau's diving accident?

18 A Yes.

19 Q What was his role?

20 A He was a diver, diver tender.

21 Q And what does a diver tender do? In
22 that setting, what was a diver tender's
23 responsibility?

24 A He would tend the diver. He would hold
25 the diver's umbilical. He would help the diver

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1 get in to his mask. He would assist him in and
2 out of the water. But most important is, he
3 would tend the umbilical that is connected to
4 the diver.

5 Q Once the diver is in the water?

6 A That's correct.

7 Q And would that be a one-on-one
8 situation? Would it be one tender for one
9 diver?

10 A Yes.

11 Q Okay. And when Mr. Barrineau's diving
12 accident occurred, from what I've read, there
13 was a standby diver and Mr. Barrineau was the
14 diver that was going underneath the ship to
15 perform the cleaning operation. Was Mr. Jonah
16 a tender for the standby diver or for Mr.
17 Barrineau?

18 A As I recall, I believe Mr. Jonah was
19 the tender for Mr. Barrineau. Now, without
20 going back in the records, my recollection as
21 we sit here, is that he was -- Jonah was the
22 tender.

23 Q Okay. I apologize for the slight delay
24 here. These are not my regular set (peruses
25 documents). Now, again, based on what the

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1 discovery information that's been made
2 available to me and what I have read, the
3 situation that at least had some role in
4 bringing about what happened was that there was
5 -- what I'll refer to as a black mask and a
6 white mask. And there were umbilical cords,
7 which were color-coded white and black. So
8 white goes to white and black goes to black.

9 And what I've read indicates that there
10 was a mismatch. The white-coded hose umbilical
11 was connected to the black mask and vice versa.
12 The black-coded umbilical was connected to the
13 white mask. Okay? I'm not sure which mask Mr.
14 Barrineau had on.

15 So, with that background, I have two
16 questions for you. First, was that the
17 situation that there was a black mask and a
18 white mask and corresponding colored umbilical
19 cords?

20 A Yes.

21 Q Okay. Am I correct in my reading that
22 the white-coded umbilical cord was supposed to
23 be hooked up to the white mask and the black to
24 the black?

25 A That's correct.

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1 Q Okay. Was that the situation with Mr.
2 Barrineau's mask, be it a white or black, was
3 it coded and connected to the proper umbilical?

4 A Two masks were inadvertently connected
5 to the wrong hoses. The white mask was
6 connected to the black hose and vice versa.

7 Q Do you know which colored mask Mr.
8 Barrineau was wearing when he made his dive to
9 clean the bottom of the boat?

10 A Without going back to prior discovery,
11 I would -- sitting here now, I don't know. I
12 don't recall.

13 Q Okay. Would it have to have been one
14 or the other because there was only two masks
15 in operation, a black and a white, at the time
16 of Mr. Barrineau's accident?

17 A Yes.

18 Q Okay. So, whether it was black or
19 white, the hoses were mismatched? Okay.

20 A That's correct.

21 Q Okay. Now, did -- let me back up a
22 little bit. As far as the Cajun dive boat was
23 concerned, the dive platform, call it what you
24 will, do you remember how many crewmen -- how
25 many Cabras employees were on board?

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1 A There was two.

2 Q Okay. Did either of those people have
3 anything to do with hooking up the white cord
4 to the black mask or visa versa?

5 A No.

6 Q Okay. I will give this to you, a copy
7 to you, Bruce, and to you Mr. Collard. These
8 are answers. I'm going to refer to this sort
9 of -- in the sense that I have a few questions
10 to expand on certain answers that were
11 provided. First of all, let me tell you what
12 are these things are.

13 We'll mark as Exhibit A and B.
14 Exhibit A will be Cabras Marine Interrogatories
15 directed to Pro Marine. That's this one
16 (indicating). And then as Exhibit B, would be
17 Pro Marine's answers to those interrogatories.

18 MR BERLINE: You want to mark on that,
19 Ken?

20 A Yeah, I know that, yeah -- thanks.

21 MR. LEDGER: (to court reporter) Can I
22 have a couple of your stickers there? Okay, I
23 will just take care of that. Do you want
24 stickers?

25 MR. BERLINE: Sure.

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1 MR. LEDGER: There you go. B and A,
2 okay, just hold on to those for a moment.

3 (Defendant's Exhibits A and B were
4 marked for identification)

5 BY MR. LEDGER:

6 Q Let me get back to the issue of the
7 white hose connected to the black mask and the
8 black hose connected to the white mask. As far
9 as your understanding and knowledge of what
10 happened to Mr. Barrineau, did that situation
11 lead to the air supply to Mr. Barrineau being
12 cut off, the reversal of the umbilical cords to
13 the mask?

14 A Yes.

15 Q Okay. Can you -- in your own -- based
16 on your own recollection being on board, how
17 did that happen? How did the mismatching of
18 the umbilical to the mask cause the air to be
19 turned off?

20 A The mask that was not in use, as it was
21 being hooked up to the second diver began --
22 the regulator began to free-flow, meaning the
23 air would not stop dispersing out of it. A
24 regulator, if you are familiar with what a
25 regulator does, it is -- a demand regulator

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1 that when you breathe in, it's supposed to
2 provide air.

3 This regulator was malfunctioning and
4 it would not stop free flowing of air. So, we
5 had to disconnect the air supply line in order
6 to disconnect the regulator and replace it with
7 a new one.

8 At that time, the umbilical that was
9 not being used by Mr. Barrineau, the cord turn
10 valve that supplies that hat was inadvertently
11 turned off because the hat was mistakenly
12 hooked-up to the wrong umbilical.

13 Again, without remembering exactly
14 which hat was -- Mr. Barrineau had, he either
15 had the black hat hooked-up to the white
16 umbilical or he had the white hat hooked up
17 with the black umbilical.

18 The air was cut off, was shut off and
19 this is when we realized that we have shut the
20 -- the mistake was made.

21 Q Instead of shutting off the air to the
22 unused mask --

23 A Yes.

24 Q -- the air to Mr. Barrineau --

25 A Yes.

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1 Q -- was shut off? Okay. Who was
2 responsible for hooking up the umbilical cords
3 to the masks?

4 A This is something out of the crew of --
5 or, of a crew of six at the time of Pro
6 Marine's crew members, there was only four that
7 were possible, hooking up the mask to the
8 umbilicals, because there was two more of us
9 that were on board the Hague that we are doing
10 what we called the ship's safety tagout.

11 So, out of it, the crew, there was only
12 -- there was only a certain number of -- that
13 could have possibly done this.

14 Now, the deck, the Cajun is very, very
15 -- the deck space of the Cajun is very, very
16 small, very tight. So, we had umbilical hoses,
17 diver's umbilicals, we had hydraulic hoses and
18 it was very, very congested. So, I would
19 imagine that the mistake was made because
20 somebody crossed one end, one umbilical over
21 the top of another one and the assumption was
22 made that that's the one that they should be
23 hooking up to.

24 Q Did the guys that were employed by
25 Cabras have anything to do with making those

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1 hook-ups?

2 A No. Once they secure the Cajun to the
3 side of the Hague, they went forward up into
4 the cabin and we probably wouldn't -- we did
5 wouldn't see him for probably the rest of the
6 day.

7 Q Okay. So, as opposed to the -- you
8 described the work deck where the PMT equipment
9 and systems are located and once the Cajun
10 arrived at the dive site, the Cabras crew went
11 into the wheelhouse of the boat?

12 A Yes.

13 Q Okay. Was that according to your
14 expectations? Did you expect or anticipate the
15 Cabras employees would be involved at all in
16 the diving operation?

17 A No, we wouldn't expect that.

18 Q Okay. Let us see here (peruses
19 documents). Okay, if you can open Exhibit A to
20 page 8. And Exhibit B, open that to -- please
21 open that to page 3. "A" has the question and
22 Exhibit B has the answer and you have to cross
23 reference, okay? Because the question --

24 A Which number?

25 Q Eleven.

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1 A Okay.

2 Q Okay? Because the answer is stated
3 independent of the questions, so that's why you
4 have to look back and forth.

5 Now, the question in Interrogatory 11,
6 "With regard to the paragraph 18 of the
7 Plaintiff's Complaint, was Pro Marine the owner
8 of 'all of the equipment necessary to complete
9 the underwater mission of scrubbing the hull of
10 the M/V Hague, including the air supply used
11 for Plaintiff Barrineau's dive?'"

12 And the answer that you gave is, "Yes,
13 except for the M/V Cajun."

14 And I just want to -- the answer was
15 okay. We were all right with the answer, but
16 the question was a little bit different than
17 what I think you anticipated. And a question -
18 - a little different than the question that you
19 answered. And here is the difference.

20 If you look closely at Question Number
21 11, there's a reference to completing the
22 underwater mission of scrubbing the hull of the
23 Hague. And the underwater mission meaning,
24 everything that happens off of the Cajun, okay,
25 underneath the Hague. That's the intent of the

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1 question. Do you see the distinction?

2 A Yes.

3 Q Okay. And so the answer that you gave
4 "yes" meaning PMT is the owner of all this
5 equipment. You say, "Yes, except for the M/V
6 Cajun." Okay? If you understand the question
7 to mean only the equipment that was being used
8 in the underwater dive operation, would your
9 answer change at all? Would it just simply be
10 "yes" as opposed to "yes, except for --"

11 A Again, the way that I interpreted the
12 question was that, mission was to scrub the
13 hull. But the mission also encompassed the use
14 of a platform to work off of. The Cajun acted
15 as that platform, which was a part of that
16 particular mission.

17 Q Okay.

18 A That was my interpretation of the
19 question and it was answered as such. We owned
20 all the equipment necessary for the underwater
21 mission of the cleaning of the hull with
22 exception of the Hague (sic). We did not own
23 it yet.

24 Q You mean the Cajun?

25 A I am sorry, the Cajun.

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1 Q The Cajun. Okay. I just want to make
2 sure that you understood that you answered the
3 question according to your understanding.
4 Okay? Because I -- we intended the questions
5 to say something a little bit different.

6 Other than transporting your PMT, men
7 and the diving equipment or the systems that
8 were required to do the underwater work, did
9 the Cajun or the crew of the Cajun have any
10 involvement?

11 A No. No direct involvement with it. As
12 you say, it provided transportation to and from
13 and acted as a work platform. And any other
14 would be -- they acted in no other capacity
15 other than that.

16 Q When the Cajun reached the location of
17 the Hague where the work was going to be
18 performed, did the -- the Cajun is then secured
19 to the side of the Hague, is that what
20 happened?

21 A Correct.

22 Q Okay. Who did that?

23 A That would be the deckhand or he was
24 also the Chief Engineer -- deckhand. The
25 Captain would stay in the wheelhouse and the

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1 deckhand would secure all the mooring lines to
2 the side of Hague.

3 Q The Captain of the Cajun?

4 A Correct.

5 Q Okay. And the deckhand that you're
6 referring to was a Cabras employee or a PMT
7 employee?

8 A He was a Cabras employee.

9 Q Okay. And once his work in securing
10 the Cajun to the Hague was completed on the day
11 of Mr. Barrineau's accident, then what did that
12 deckhand do?

13 A Me and the captain would be up in
14 wheelhouse.

15 Q Okay.

16 MR. BERLINE: David, I just want a
17 quick objection, lack of foundation and vague
18 as to time. I'm not sure ,and you might want
19 to clear this up, if Mr. Collard was on the
20 boat each and everyday or just that day when
21 the accident happened. And if he was only
22 there that one day, then I have got a lack of
23 foundation objection as far as, where is this
24 information coming from? Did the deckhands
25 help?

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1 MR. LEDGER: Well, what --

2 MR. BERLINE: Everyday or other day?

3 BY MR. LEDGER:

4 Q The description that you just gave us
5 as to the actions of the Cabras employees upon
6 arrival at the job location, my question was
7 limited to the day in question.

8 A Uh-huh, okay.

9 Q And that's -- your answer is based on
10 the events of that day, is that correct?

11 A That's correct.

12 Q Okay, because you were on board the
13 Cajun?

14 A Yes.

15 Q So, your answer is based on personal
16 knowledge?

17 A Yes.

18 Q Okay. There is -- to get to Mr.
19 Berlin's point, as far as I can see in the --
20 basically the bill that Cabras Marine sent to
21 you for the \$1,500 a day, it looks like there
22 were four and a half days that you hired the
23 Cajun. The half day being the day that Mr.
24 Barrineau was injured and had to abort the
25 operation that day. For the other four days

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1 that were full working days, were you on board
2 at all?

3 A Yes, I was.

4 Q How many of those other days?

5 A The rest of the remaining four days.

6 Q Okay. Were that actions of the Cabras
7 crew in the sense of taking the boat to a
8 location and securing it and then going into
9 the wheelhouse away from the work area, did
10 that occur consistently on each of the days?

11 A Yes, it did.

12 Q Okay. On Exhibit A, just drop down to
13 the next question, "With regard to paragraph 18
14 of the Plaintiff's Complaint, was Pro Marine
15 responsible for maintaining and servicing 'all
16 of the equipment to complete the underwater
17 mission of scrubbing the hull of the M/V Hague,
18 including the air supply used for Plaintiff
19 Barrineau's dive?'"

20 And again your answer is "Yes, except
21 for the M/V Cajun".

22 Now, the Cajun is a work boat with a
23 work deck, is that correct, an open deck in the
24 back?

25 A Correct.

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1 Q And is that where PMT -- on the open
2 deck, is that where PMT had all of the gear and
3 system necessary to do the underwater work?

4 A Not all of it. Most -- our compressor
5 was forward because of the noise. We didn't
6 want the noise to interfere with the
7 communications. So, that was the only thing.
8 All the rest of our equipment was on the stern
9 or the rear deck of the Cajun.

10 Q And the compressor that was located
11 forward, was that compressor owned by PMT?

12 A Correct.

13 Q Okay. So, including the compressor
14 that was located on a forward location and all
15 of the other equipment systems that were
16 located on the work deck, whose responsibility
17 was it to ensure that that equipment was in
18 good operational status?

19 A We had -- that was our responsibility.
20 All of our Pro Marine Technologies equipment
21 was maintained by us. Each piece of equipment
22 had a member of the crew that was stationed
23 next to it that tended it while the machine is
24 in operation.

25 Q A member of the PMT crew?

1 A Correct.

2 Q Okay. So, sort of a dedicated one-man
3 to one-piece of equipment situation?

4 A Correct.

5 Q And did that include the compressor?

6 A Yes, it did.

7 Q And did it include the two valves that
8 supplied air to the umbilicals?

9 A Okay. The compressor is one portion of
10 the air supply.

11 Q Okay.

12 A You go from an air compression, which
13 fills up the 2,000 PSI flasks. The air supply
14 from the flask is regulated down a workable
15 breathing pressure of about 100 PSA, which goes
16 into a volume tank. The volume tank is a 30-
17 gallon volume tank, which is a receiver, so-to-
18 speak. The two quarter turn valves, the diver
19 supply comes off of this volume tank. The
20 quarter turn valves are hooked up or -- excuse
21 me, the diver's umbilicals are hooked up to the
22 tube, quarter turn valves off the volume tank.

23 Q And would that volume tank with the two
24 valves be an item that a Pro Marine Technology
25 crew member was assigned to?

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1 A Yes. The volume tank, the
2 communications, the regulator that comes off of
3 the 2,000 PSI flasks were controlled by our
4 diving supervisor, Mr. Carey Rose.

5 Q And there was -- okay. I understand --
6 pretty sure I understand how things were run.
7 Carey Rose, being an overall supervisor, or
8 Carey Rose having a responsibility for a
9 particular portion of the system.

10 A As the overall supervisor. His station
11 -- this equipment was in his, circle of his
12 responsibilities.

13 Q Okay. And then people under him,
14 people under Mr. Rose would have responsibility
15 to monitor or look after individual pieces of
16 equipment?

17 A Yes. Again, we had one dedicated to
18 the air compressor source.

19 Q Okay.

20 A We had one person that was dedicated to
21 the two hydraulic power units that supplied the
22 hydraulic power to the brushers, the cleaning
23 brushers.

24 Q And one assigned to the -- what do you
25 call it, a receiver tank?

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1 A The volume tank.

2 Q The volume tank. Okay. We've just
3 mentioned something, I may have covered it
4 generally, but we've been talking always about
5 the equipment that's necessary to put divers in
6 the water. The umbilicals, the masks, the
7 compressors, the tanks.

8 The hydraulic? There was a hydraulic
9 system also on board that was utilized to turn
10 the brushes to do the cleaning. Is that right?

11 A Yes, we had two hydraulic power units.

12 Q Okay. And when you say "we", they were
13 Pro Marine units?

14 A Correct.

15 Q Okay (pauses, peruses documents). Okay,
16 we've answered that; we can move on. The
17 location, the tank that had the two quarter-
18 turn valves, can you remember which of the Pro
19 Marine individuals was dedicated to that?

20 A Like I previously said, Mr. Rose had
21 the communications; the 2,000 PSI flasks, the
22 regulator regulating the pressure out of those
23 flasks into the volume tank and the volume tank
24 itself. These are the equipment that was in
25 his realm of responsibility.

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1 Q Oh, so Mr. Rose had those items?

2 A Yes.

3 Q And other crew members had other
4 aspects of the system?

5 A That's correct.

6 Q Okay; okay. Going back to the
7 situation you described where the unused mask
8 had a regulator that was not functioning
9 properly and air continued to flow when it was
10 not supposed to flow; is that what was
11 happening to the unused mask?

12 A Yes, there was a malfunction.

13 Q And as I have read the information, in
14 order to address that problem, the air supply
15 flow to that mask needed to be cut off; is that
16 correct?

17 A Correct.

18 Q And that's when the wrong valve was
19 inadvertently turned and the air of Mr.
20 Barrineau was cut off; is that correct?

21 A That's correct.

22 Q Then who did that? Who turned the
23 wrong quarter turn valve?

24 A That would be me. Myself.

25 Q Okay (pauses, peruses documents). Is

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1 | there a Mr. Vance Eflin? Is he still employed
2 | with PMT?

3 | A No, he is not.

4 | Q Do you know his whereabouts?
5 | Currently?

6 | A He is still on island. Who he's
7 | working for or where he is, I do not know.

8 | Q Okay. In your company's records, what
9 | would be -- would you have, like a last known
10 | address to send his W2 to or something like
11 | that?

12 | A For 2006, I would -- yes, I would --

13 | Q Yes, I guess that would. This is the
14 | season, right --

15 | A Yeah.

16 | Q -- to send out that stuff? Okay. I'm
17 | just asking because there may be a point in
18 | time where we want to take his deposition or
19 | service subpoena on him. Since he is no longer
20 | working for you, we might come back to PMT and
21 | see if we can get that information from PMT.

22 | Changing gears a little bit, when you
23 | were arranging or when you were doing what you
24 | needed to do to arrange for the Cajun to
25 | provide the platform and the transportation,

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1 | who at Cabras Marine were you interacting with?

2 | A That would be -- at first, would be
3 | Stan Hall, Captain Stan Hall.

4 | Q Okay.

5 | A And then -- (pauses).

6 | Q Paul Blas?

7 | A Thank you.

8 | Q Paul Blas of memory --

9 | A Yes, correct.

10 | Q -- memory exercise. And what was the -
11 | - I mean I mentioned \$1,500.00 a day a while
12 | ago and it was for, I think four-and-a-half or
13 | five-and-a-half days. Can you tell what you
14 | recollect of those arrangements and what were
15 | they?

16 | A The arrangements were to act as a
17 | shuttle service between the Hague and the Sumay
18 | Cove Marina to work as a diving platform once
19 | we were on site.

20 | Q And what were the -- again, I said
21 | \$1,500.00 dollars a day, and I didn't mean to
22 | put words in your mouth, but was that the
23 | arrangement for everyday you wanted the boat,
24 | it was \$1500.00?

25 | A I believe that was the amount, the

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1 daily rate. We had one day that was cut short.
2 We paid them a half-a-day, even though we were
3 only out there for about an hour and a half on
4 the day of the incident.

5 Q Okay; okay. Was there any other
6 paperwork besides, you know, the quote and the
7 invoice and you paying them?

8 A No, there was not. All we had was the
9 daily sheets.

10 Q Okay. Do you remember, was it a four-
11 and-a-half days or five-and-a-half days?

12 A If I recall, it was four-and-a-half
13 days. We were supposed to be out there for
14 five, but we were billed for four-and-a-half.

15 Q Okay.

16 A I believe we started on the 21st and
17 finished on the 25th of May.

18 Q And the arrangement was that you would
19 pay a daily rate as opposed to a weekly rate or
20 a monthly rate; is that correct?

21 A That's correct.

22 Q Other than Mr. Eflin, who you said is
23 no longer employed by PMT, of the members of
24 your crew, the PMT crew, that were on board the
25 day of Mr. Barrineau's dive accident, are any

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1 of them, other than yourself, are any of them
2 still employed by you? Carey Rose, you said,
3 is. How about the other PMT employees? I can
4 get a list of who was out there, if that could
5 help.

6 A No, it's not necessary.

7 Q If you need it. Okay.

8 A Chris Shelton is no longer working for
9 us, Christopher Shelton. The last time I
10 heard, they moved to Florida. Whereabouts,
11 unknown. A Ben Mantanane is no longer working
12 for us. And Conald Jonah works -- Conald Jonah
13 only worked for us on a limited part-time
14 basis.

15 Q Okay. How about Ben Mantanane, do you
16 know his whereabouts?

17 A He's still on island. I don't know
18 whereabouts.

19 Q Okay. And Mr. Jonah still works
20 intermittently for PMT?

21 A Yeah, limited.

22 Q Okay.

23 Q Okay. But he's here on Guam, is that
24 right?

25 A Yes.

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1 Q He is, okay. All right. So, Cris
2 Shelton is gone, as far as you know, to
3 Florida?

4 A Yes.

5 Q All right. Okay. I have a few more
6 questions for you. Questions will be posed to
7 you in the sense that you were on board on the
8 particular day in question. Okay? And that at
9 that point in time you were the acting
10 president of the PMT?

11 A Yes.

12 Q Is that right? Okay. In some of the
13 materials that we have in the file, you know,
14 the incident involved with Mr. Barrineau has
15 been characterized as a, you know, an emergency
16 situation. Okay? My question is, from your
17 perspective in your role that day as the
18 representative of PMT, did you have any
19 expectation that the Cabras employees should
20 have been trained to respond to the diving
21 incident that happened?

22 A No, it was not expected of them.

23 Q Go ahead.

24 A May I ask you to repeat the question,
25 please?

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1 Q Yes. I'll put it in a little bit
2 different way, but it will be the same
3 question. When the trouble started with Mr
4 Barrineau, when his air supply was
5 inadvertently cut off, okay, was it your
6 expectation that the Cabras employees up in the
7 deck house should have been trained to respond
8 to that?

9 A No, it was not expected.

10 Q Okay. You spoke a while ago about what
11 your expect- -- what PMT's expectations of the
12 Cabras boat and employees were. And you
13 included in your description, transportation
14 from Sumay Cove to the Hague, secure at the
15 Hague, remain on station, provide
16 transportation back to Sumay Cove. Were there
17 any other expectations, other than doing those
18 things safely? Were there any other
19 expectations of PMT of the Cabras employees or
20 boat?

21 A No, there was not.

22 Q That kind of covers a lot of ground,
23 but I'm going to ask you some specific
24 questions that sort of fall under that
25 umbrella. One of them is, was there any

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1 expectation on the part of PMT that Cabras
2 Marine or its employees would have any
3 obligation to ensure that the PMT employees
4 were medically fit and trained to do what they
5 were doing?

6 A No, it was not expected.

7 Q Now, as far as the equipment, and this
8 again, the day in question, okay, the day we're
9 always talking about the day of Mr. Barrineau's
10 incident unless I want to broaden that horizon,
11 to your knowledge, was the equipment that was
12 on board and providing what was necessary for
13 the dive, okay, was there anything wrong with
14 the equipment itself?

15 A Please elaborate.

16 Q Well, go back to what I said earlier at
17 the beginning of the deposition is that, either
18 a cause or the cause of what happened to Mr.
19 Barrineau was these quarter turn valves being
20 incorrectly set so that his air was cut off,
21 instead of cutting off the air to the leaking
22 regulator.

23 As far as you're concerned in your role
24 that day, was there anything wrong with the
25 equipment or was it the way the valving on the

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1 equipment was set that cause what happened?

2 A There was nothing mechanically
3 unsatisfactory with the working conditions of
4 any of the equipment. The problem laid up in
5 the connection of the hat to, or the masks,
6 excuse me, the masks to the umbilical hoses.

7 Q Okay. Throughout the time the Pro
8 Marine Technology was a party in this lawsuit,
9 was anything ever discovered that led to a
10 conclusion or suspicion that there was anything
11 defective about any of the equipment that was
12 involved in the dive operation on that day?

13 A Define defective.

14 Q A compressor being inoperative, the
15 quarter turn valves maybe being too loose and
16 they turned on their own. I think the question
17 may be is better put was -- is there any thing
18 other than the inadvertent -- maladjustment of
19 the quarter turn valves that you're aware of
20 that caused what happened?

21 A Besides the malfunctioning of the
22 regulator, there was nothing defective of any
23 Pro Marine's equipment.

24 Q Okay. That's a good point. So, only
25 the regulator, as far as you know?

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1 A (no audible response)

2 Q Okay. And the regulator belonged to
3 whom?

4 A Pro Marine.

5 Q And as far as any maintenance that can
6 be performed to a regulator, who would have
7 been responsible for that?

8 A Myself or Mr. Rose, but we always carry
9 replacement parts. So, we can take off one
10 regulator and snap right on another one.

11 Q Okay. When did you first become aware
12 that there was some problem with the regulator
13 that would not hold air?

14 A When the diver was going to -- when the
15 tender was going to dress the diver, evidently
16 something had happened that was not --
17 something happened internally on the working
18 parts of the regulator that when he put it up
19 to the mask or put the mask up to the diver's
20 face, it began to free flow.

21 Q Okay. Earlier you described the sort
22 of the work environment. There was -- the
23 Cajun had a stern deck, a working deck, where
24 all of the PMT dive systems were located with
25 the exception of the compressor which was

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1 located somewhere forward, is that right?

2 A That's correct.

3 Q Okay. And in terms of how the PMT
4 equipment was located and stored on the working
5 deck of the Cajun, where it was placed and how
6 it was configured, who was responsible for
7 that?

8 A Probably everybody, but the final say
9 would be probably the Diving Supervisor, Mr.
10 Rose.

11 Q Okay. "Probably everybody," meaning
12 everybody employed by PMT?

13 A That's correct, the crew members of Pro
14 Marine Technology.

15 Q Okay. And Mr. Rose would have final
16 say so is to where particular items were set
17 up?

18 A If something caught his eye that was
19 incorrect, he would say something, but if
20 everything was stowed properly then there would
21 be no reason to say anything.

22 Q On the four and a half days that this
23 operation on the Hague occurred, did Pro Marine
24 Technology take its equipment off every evening
25 and put it back on the next day?

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1 A No, we would not.

2 Q It stayed on it?

3 A It stayed on for the duration.

4 Q It stayed on, okay. Beginning with the
5 first day of the operation and concluding with
6 the last day of the operation, whenever that
7 may have been, the dates are not important, but
8 on the beginning of the first day and at the
9 end of the fifth day, was there ever any change
10 in the responsibilities as far as who was
11 responsible for the maintenance and the
12 operation of the equipment, the dive equipment?
13 Did PMT remain responsible for that the entire
14 time of the operation?

15 A That'll be correct.

16 Q Okay. Was there ever an instance where
17 either the Cabras employees, at least in your
18 view, did something they weren't supposed to
19 do; tanker with the equipment, move the
20 equipment, get involved in the PMT's
21 operations?

22 A To my knowledge, there was no tampering
23 with any of our equipment. Each night, all of
24 our equipment was covered with our company
25 covers just to keep them out of the elements in

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1 case it rained or anything, but nothing was
2 ever noticed that have been -- none of our
3 equipment -- we didn't notice any proof of
4 tampering or any evidence of tampering.

5 Q And to be sure, I didn't mean
6 tampering, it's not really -- not a very good
7 choice of word. I didn't mean tampering in the
8 sense that -- tampering in the sense that, you
9 know, they were really doing something that
10 they weren't supposed to be doing. What I
11 meant was, the equipment when on the Cajun Day
12 1 and it came off the Cajun at the end of the
13 operation. During that period of days, was
14 there any involvement of the Cabras employees
15 and the maintenance or the placing or the use
16 of the equipment?

17 A No.

18 Q The PMT equipment.

19 A No.

20 Q Okay. May I go back to the last
21 question?

22 A Sure.

23 Q You said placing the equipment?

24 A Uh-huh. They helped us when we first
25 brought the equipment from the pier side onto

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1 the stern deck. And the captain would keep the
2 boat tied into the pier and the deckhand would
3 move some of their own equipment so that we
4 have room to put our equipment.

5 Q Some of the equipment that would
6 normally be carried on the Cajun?

7 A Yeah, houser lines, ropes, buoys,
8 fenders.

9 Q Okay.

10 A They would assist moving their
11 equipments so that we could load in place ours.

12 Q Who would move the Cabras equipment to
13 accommodate your equipment?

14 A The Cabras deckhand.

15 Q Okay. Earlier I asked you a question
16 in terms, you know -- the question was, was it
17 your expectation that the two Cabras employees
18 should have been prepared to respond to the
19 diving emergency? A little bit -- this is a
20 similar question, maybe a little bit broader.
21 Once the problem with Mr. Barrineau arose, when
22 that sequence of events started, accidental
23 shutting off of his air, did you as the PMT
24 representative on board have any expectation
25 that the Cabras employees would intervene in

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1 that course of events and do something about
2 it?

3 A No, it wasn't expected.

4 Q Okay. After Mr. Barrineau was back on
5 board, let's just use that as a starting time,
6 from that point forward, was there any -- from
7 that point forward, did any problems with the
8 dive equipment, other than the regulator, ever
9 come to light?

10 A (pauses)

11 Q Earlier I asked you, was there any
12 problem with any of the equipment in the sense
13 that it was defective or didn't operate
14 properly and you said only the regulator
15 because it wouldn't hold air.

16 A Correct.

17 Q Okay. After the accident happened and
18 during the course of any investigation or any
19 followup that PMT conducted on its own, did any
20 of the other equipment on board ever become
21 suspect?

22 A To my knowledge, no.

23 Q Okay. Limited to the regulator?

24 A Yes.

25 Q Okay. After Mr. Barrineau was able to

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1 get back on board, as there was a shutoff and
2 he eventually made his way back, got back on
3 the Cajun and -- what happened then? What did
4 the Cajun and the Cabras employees do?

5 A At the time when Mr. Barrineau was able
6 to come up on deck on his own power, we went
7 down below and we did an assessment of his
8 injury; asked him if he wanted any emergency
9 medical, which would oxygen, medical oxygen,
10 which we carry on board, and he didn't say he
11 needed it. We put a band aid on his, small
12 band aid on his -- I can't remember if it was
13 his left or right eye brow.

14 At that time, the members of the -- the
15 crew members of the Cabras were told what had
16 happened. And after we did an assessment to
17 Mr. Barrineau, Mr. Rose decided that we would
18 cancel dive operations for the day, pack
19 everything up, go back and so his get in to our
20 warehouse and then do a complete follow up on
21 this and get everybody involved what had
22 transpired, what we would do to resolve this so
23 that it'll never happened again. Mr. Barrineau
24 took an active part in this round table
25 discussion.

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1 Q When the decision was made to abort the
2 dive operations for the day and return to your
3 home base, PMT's home base, how was that
4 communicated to the Cabras crew, the Cabras
5 captain? Did you them, we're done, let's go?

6 A Mr. Rose had taken care of it. We were
7 -- myself and Mr. Mantanane, who was an EMT,
8 Ben Mantanane, he was one that did the
9 assessment and gave Mr. Barrineau a band aid.
10 I was with him at that time asking Mr.
11 Barrineau questions regarding his status and
12 how he felt. There's a checklist that you go
13 through asking questions, any kind of incident
14 like this that occurs.

15 During that time, Mr. Rose had told me
16 we're wrapping it up. I gave him, yes, we're
17 wrapping at up. The captain and the deckhand
18 were informed of our departure, our pending
19 departure and that we were going to call it a
20 day.

21 Q And was the captain and the deckhand,
22 were they responsive to that? Did they do what
23 you wanted them to do?

24 A Yes, they immediately disconnected the
25 mooring lines off at the Hague and then we

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1 departed for Sumay Cove.

2 Q When the Cajun returned to Sumay Cove,
3 did they -- Cabras captain or the deckhand have
4 any further involvement with subsequent events?

5 A No, they did not.

6 Q Okay. (lengthy pause; peruses
7 documents) Almost finished here for my part.
8 There was also references in some of the
9 materials that I've read as to the quarter turn
10 valves being labeled. Are you familiar with
11 that process or procedure labeling quarter turn
12 valves?

13 A The term labeling is probably
14 incorrect. They were color-coded.

15 Q Okay. The white and the black?

16 A Correct.

17 Q Okay. And by that, the umbilical cords
18 have some short of white paint or white tape?

19 A White tape.

20 Q Okay.

21 A The white umbilical, which we refer to
22 as a white umbilical, had white banded tape on
23 the umbilical, the entire length of it. Same
24 thing with the black. The black tape, the
25 black umbilical had the black bands of tape

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1 around it and it was hooked to the black
2 quarter turn valve.

3 Q Got it, okay.

4 MR. LEDGER: Okay. I think I'll stop
5 for the time being. Mr. Berline will have the
6 opportunity to ask you some questions. I think
7 I've covered everything I have on my notes. I
8 may have something to say after Mr. Berline is
9 finished.

10

11 **CROSS EXAMINATION**

12 BY MR. BERLINE:

13 Q Okay. For the record, Bruce Berline
14 representing John Brady Barrineau. Mr.
15 Collard, you stated previously that Carey B.
16 Rose was a Diving Supervisor.

17 A Correct.

18 Q He was the final say -- it was his duty
19 and his responsibility to check and make sure
20 everything was being properly done, is that
21 right, as far as the diving operations on the
22 M/V Cajun.

23 A Correct.

24 Q Okay. It was his responsibility to
25 ensure that the equipment was properly set up?

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1 A Correct.

2 Q And when I say "him", I'm again talking
3 about Carey Rose. So, even though you are the
4 president of PMT, Pro Marine Technology, he was
5 the final say even above you on the M/V Cajun,
6 is that right?

7 A Correct.

8 Q Now, you also stated in you previous
9 testimony with Mr. Ledger that the problem lay
10 with the masks being hooked up to the wrong
11 colored umbilical cord; is that right?

12 A Correct.

13 Q Okay. If the Cajun had a larger deck,
14 large enough to separate the umbilical cords,
15 would that have at least helped in preventing
16 this accident?

17 A It may have helped. It may not have.
18 It was -- (pauses). I cannot say a yes or no
19 to that question; speculating that it may have
20 helped.

21 Q Okay. On that deck was PMT's dive
22 equipment, on the deck of M/V Cajun; correct?

23 A Correct.

24 Q Also on it was the equipment for the
25 M/V Cajun itself, that was on the deck, also;

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1 is that right?

2 A No. We would ask -- we would ensure
3 that the crew members kept all of their
4 equipment completely away from ours.

5 Q Okay.

6 A Because of that limited space.

7 Q Okay. Also, if the valve had been
8 properly marked, the valve itself, would that
9 have prevented you from turning it off?

10 A The valves were properly marked.

11 Q Were they labeled as far as -- let me
12 back up. Do you take any - there's a United
13 States Navy Diving Manual. Are you familiar
14 with that?

15 A Yes.

16 Q In your line of work, do you -- have
17 you read that manual?

18 A Yes.

19 Q Okay. What kind of weight does the
20 contents of that manual carry as far as your
21 diving operations?

22 A It carries a substantial weight, but it
23 is not the prevailing regulations that we are
24 bound by.

25 Q Okay. Are you familiar that in the

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1 United States Navy Diving Manual, there's a
2 requirement that all air valves that supply air
3 to divers be labeled?

4 A I am familiar with that regulation,
5 Navy regulation.

6 Q Do you know how those air valves are
7 supposed to be labeled pursuant into the United
8 States Navy Diving Manual?

9 A Yes.

10 Q Can you tell me what that is?

11 A Each valve has to have a tag off of it
12 that would prevent the accidental closure of it
13 and it said that "This is diver's air, do not
14 close unless approved by the diving
15 supervisor".

16 Q Okay. So, there would be actual
17 language that says "Diver's air. Do not
18 close"?

19 A That's correct.

20 Q Okay. And then there's a second
21 element to that. There's a physical restraint
22 on the valve itself; is that right?

23 A That's correct.

24 Q Okay. Now, you said -- well, let me
25 keep going with that line of thought. The

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1 valves on the volume tank, they had direct to
2 control to diver air supply, right?

3 A That's correct.

4 Q Okay. One of them supplied air to
5 Brady Barrineau who was underwater; is that
6 right?

7 A Correct.

8 Q And the other supplied diver air to a
9 mask that was not in use yet?

10 A Correct.

11 Q Okay. Now, those valves on the volume
12 tank did not have a physical restrain on them?

13 A No, they did not.

14 Q Okay. And the valves, neither the
15 valves had the language, the warning, as
16 required by the United States Navy Diving
17 Manual; correct?

18 A Let me reiterate here, that we're not
19 subject to the United States Navy regulation.

20 Q I'm not --

21 A We are subject only to the CFR --

22 Q I'm not assuming you are --

23 A -- so your references to the U.S. Navy
24 Diving Manual is -- (pauses).

25 Q I understand it.

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1 A Okay.

2 Q But do you understand my question?

3 A I understand.

4 Q Okay. And your answer is?

5 A No, they were not labeled as the U.S.
6 Navy Diving regulation stipulates.

7 Q Okay. But your system, PMT system, was
8 a color coded system?

9 A Correct.

10 Q Okay. Do you know when -- PMT employed
11 John Brady Barrineau?

12 A Correct.

13 Q Do you know the dates that he was
14 employed by PMT?

15 A His appointment started on January 31st,
16 of 2005.

17 Q Okay. And when did it end?

18 A May 22nd, 2005.

19 Q Okay. At one point during his
20 employment, PMT received a job to scrub the
21 hull of the Hague; is that right?

22 A Correct.

23 Q That was PMT's mission; clean the hull
24 of the Hague?

25 A Correct.

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1 Q You needed certain elements to do that
2 job; correct?

3 A Yes.

4 Q You needed underwater divers; right?

5 A Commercial divers, yes.

6 Q Okay. You needed a mode of
7 transportation to get from the land to the
8 Hague; correct?

9 A Correct.

10 Q Because the Hague was not at a pier, it
11 was out in the ocean; correct?

12 A At anchor.

13 Q At anchor; okay. Do you know how deep
14 the anchorage was?

15 A No, I do not.

16 Q Okay. Any rough estimation that you
17 can provide me?

18 A Apra Harbor, I would think at the --
19 below where the Hague was, was probably maybe -
20 - maybe a little over hundred feet. I'm not
21 sure.

22 Q Okay. And then you needed commercial
23 divers support, diver tenders, and you needed a
24 source of air and other accessories to
25 accomplish the physical cleaning, such as the

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1 hydraulic brush scrubber and the hydraulic
2 power supply; correct?

3 A Correct.

4 Q Okay. And that doesn't need to be an
5 extensive list, but those are the main elements
6 of what you needed; correct?

7 A I understand, yes.

8 Q Okay. And Brady Barrineau was one of
9 your commercial divers; is that right?

10 A Correct.

11 Q Okay. And his job was to go underwater
12 and use a hydraulic brush scrubber to clean the
13 whole hull of the Hague?

14 A Correct. When he was not diving, he
15 would be a tender.

16 Q Okay. So he had a dual capacity. He
17 was a dive tender and an actual diver?

18 A Correct.

19 Q Okay. And when he was in the water
20 cleaning the hull of the Hague, he was
21 connected to the Cajun via an umbilical cord.

22 A No, he was connected to the volume
23 tank.

24 Q Okay. Via an umbilical cord and that's
25 what supplied his air, correct?

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1 A Correct.

2 Q Okay. Now, there were two crewmen for
3 the Cajun, the captain and a crewman --

4 A Correct.

5 Q -- that worked for Cabras, correct?

6 A Yes.

7 Q Okay. And, as far as -- no, let me
8 back up. Brady's job is either a dive tender
9 or a commercial diver, exposed him out on that
10 job, exposed him to the risk and perils of the
11 open ocean?

12 A Correct.

13 Q Okay. Just like it did, the captain of
14 the Cajun and his crewmember?

15 A I would say, no, because as a diver
16 he's exposed to a greater risk --

17 Q Okay.

18 A -- than the crew members.

19 Q Okay. Can you explain that? Why do
20 you say that?

21 A The crew members weren't divers.

22 Q Okay.

23 A Or did they act in any capacity
24 thereof.

25 Q And, doing work out on the open ocean

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1 and doing it underwater is more dangerous than
2 doing work in the open ocean on a ship, is that
3 fair to say?

4 A Correct.

5 Q Okay. The M/V Cajun, it was a United
6 States flagship, do you know?

7 A I believe so.

8 Q Okay. Now, to begin this task of
9 cleaning the Hague, there is -- your equipment,
10 PMT's equipment, was loaded on to the M/V
11 Cajun, correct?

12 A Correct.

13 Q At the beginning of the job?

14 A Correct.

15 Q Okay. And it was off-loaded at the end
16 of the job.

17 A Correct.

18 Q Your workdays were -- did you start at
19 7:30 in the morning and go to about 5:30 at
20 night each day?

21 A Without referring to the time sheets, I
22 would say that's a fairly -- that was our
23 normal operations, from 7:30 to about 4:30.

24 Q Okay. And you worked, I think that the
25 testimony was, four and a half days on -- what

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